

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No.: 10mj389 (SER)

Plaintiff,

v.

ORDER

Search Warrant,

Defendant.

Bruce Nestor, DeLeon & Nestor, LLC, 3547 Cedar Avenue South, Minneapolis, MN 55407

Andrew Winter, U.S. Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415

The Court being fully advised in the premises and based upon the pleadings of the parties and the file in this matter, hereby **ORDERS**:

1. On September 23, 2011, persons claiming ownership of property seized in this matter pursuant to a search warrant executed by the United States filed a Motion for Return of Property. On November 3, 2011, the United States filed a Response representing that all property seized pursuant to the search warrants had been returned. The moving parties have filed a Reply to the Response, acknowledging receipt of the property returned by the United States.
2. The Motion for Return of Property filed September 23, 2011 [Doc. No. 23], is hereby denied as moot and the hearing scheduled for November 10, 2011, is cancelled.
3. This order does not prejudice the moving parties from filing an additional motion seeking the return of property and/or other relief under Rule 41(g) in the event they contend they have new or continuing grounds to be aggrieved by the search and seizure of property and/or the deprivation of any property seized in this matter.

Dated: November 15, 2011

s/Steven E. Rau

Steven E. Rau
U.S. Magistrate Judge